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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 TYLT, INC.,

11 Plaintiff,

12 v.

13 WIRELESS ADVOCATES, LLC, et
14 al.,

15 Defendants.

CASE NO. C19-0646JLR

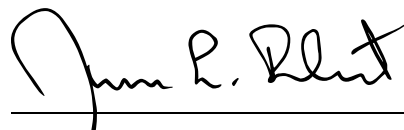
ORDER DISMISSING CASE

16 On March 18, 2020, the court issued a show cause order demanding that Plaintiff
17 Tylt, Inc. (“Tylt”) “show cause why this case should not be dismissed for lack of subject
18 matter jurisdiction.” (3/18/20 Order (Dkt. # 35) at 3.) The court warned Tylt that failure
19 to respond and show cause within seven days of the date of the court’s order would result
20 in dismissal of this case without prejudice. (*See id.*) Tylt did not respond to the court’s
21 order within seven days. (*See generally* Dkt.)

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1 Although Tylt's failure to respond to the court's order provides sufficient grounds
2 to dismiss this case without prejudice, Defendants Car Toys, Inc. ("Car Toys") and
3 Wireless Advocates, LLC ("Wireless Advocates") (collectively, "Defendants") submitted
4 evidence that the court lacks subject matter jurisdiction over this case. Tylt alleges that
5 the court has diversity jurisdiction over this action. (See Compl. (Dkt. # 1) ¶ 4.) Federal
6 diversity jurisdiction requires complete diversity of citizenship between the parties, such
7 that no plaintiff is a citizen of the same state as any defendant. See *Morris v. Princess*
8 *Cruises, Inc.*, 236 F.3d 1061, 1067 (9th Cir. 2001). Defendants filed an amended
9 corporate disclosure statement indicating that one of Wireless Advocates' members, Jeff
10 Pirtle, is a citizen of the state of California. (See Corp. Disc. (Dkt. # 36) at 1-2.) Tylt's
11 principal place of business is California. (See Compl. ¶ 1.) For purposes of diversity
12 jurisdiction, a corporation is a citizen of the state in which it is incorporated and the state
13 where it has its principal place of business, 28 U.S.C. § 1332(c)(1), and a limited liability
14 company is "a citizen of every state of which its owners/members are citizens," *Johnson*
15 *v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Thus, Tylt
16 and Wireless Advocates are both citizens of California, which means the court lacks
17 diversity jurisdiction over this case. Accordingly, the court DISMISSES this case with
18 prejudice.

19 Dated this 27th day of March, 2020.

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22 JAMES L. ROBART
United States District Judge